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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zhaoda Zhang et al.

Art Unit : 1616

Serial No. : 10/786,791

Examiner : Unknown

Filed : February 25, 2004

Title : PEPTIDE-BASED MULTIMERIC TARGETED CONTRAST AGENTS

**MAIL STOP PETITIONS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. 1.10(d)

Applicants hereby petition for the correction of the filing date of the above-referenced application. The United States Postal Office incorrectly entered the "date in" as February 24, 2004 on the Express Mail Receipt. The round date stamp indicates, however, that the Express Mail document was delivered to the United States Post Office on February 25, 2004, as indicated on all of the filing documents. Enclosed please find a copy of the following documents:

- (1) copy of the post card reflecting the United States Patent Application serial number;
- (2) copy of the Express Mail Receipt showing the incorrect handwritten date, but the correct date stamp;
- (3) copy of the Application Transmittal Letter as filed with the correct filing date;
- (4) copy of the executed Express Mail Declaration;
- (5) copy of the first page of the Preliminary Amendment as filed;
- (6) copy of the Information Disclosure Statement as filed; and
- (7) copy of the application cover sheet as filed.

Under 35 CFR § 1.10(d)(2), Applicants hereby provide a showing that the number of the Express Mail label was placed on each piece of correspondence prior to the original mailing.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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03/01/2005 CCHAU1 00000026 10786791

01 FC:1464

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Applicant : Zhaoda Zhang et al.  
Serial No. : 10/786,791  
Filed : February 25, 2004  
Page : 2 of 2

Attorney's Docket No.: 13498-010003 / MET-14


Attached hereto are document tracking screens indicating a February 25, 2004 date of creation of documents 1-4 and 6-7 above. Although the Preliminary Amendment was created on February 24, 2004, it was accessed two times on February 25, 2004 when it was filed.

Under 37 C.F.R. 1.10(d)(3), Applicants respectfully submit that the United States Postal Service round-date stamp of February 25, 2004, as shown on the Express Mail receipt, is a sufficient showing of United States Postal Service evidence that the correspondence was deposited as "Express Mail" prior to the last scheduled pickup on the February 25, 2004 referenced filing date.

Enclosed is a check for \$130 for the required fee. Please apply any other charges or credits to Deposit Account No. 06-1050.


Respectfully submitted,

Date: 2/23/05

  
Teresa A. Lavoie, Ph.D.  
Reg. No. 42,782

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696



Attorney's Docket No. 13498-010003	Express Mail Label No. EV321180589US	Mailing Date February 25, 2004	<b>For PTO Use Only</b> <i>Do Not Mark in This Area</i>
Application No.	Filing Date February 25, 2004	Attorney/Secretary Init MSE/TAL/ajm	
Title of the Invention <b>PEPTIDE-BASED MULTIMERIC TARGETED CONTRAST AGENTS</b>			
Applicant Zhaoda Zhang et al.			16834 U.S. PTO 10/786791  022404
Enclosures · Transmittal Letter (2 pages) · Patent Application (119 pages of specification, 38 pages of claims, 77 total claims, 1 page of abstract, 1 page of cover sheet) · Check in the amount of \$2200.00 · Drawings (formal, 9 sheets) · Copy of Combined Declaration and Power of Attorney (3 pages) · Preliminary Amendment (24 pages) · Information Disclosure Statement (1 page) · Form PTO-1449 (4 pages)			



6 Matters ProLaw

Matter ID: 13458-01000 Desc: Peptide-Based Multimetric Targeted Contrast Agents (MET-148) - Div

Client Sort: Epic Pharmaceuticals, Inc.

General | Notes | Contacts | Matters | Events | Acctg Special | Against | FR General | Patent Details | Patent Details Misc | Contacts

Date: 1/25/2004

1/25/2004: 1/25/2004

- 1/31/2005: Petition for Correction of Filing Date
- 10/12/2004: Information Disclosure Statement
- 10/12/2004: Postcard recd on IDS?
- 9/23/2004: MAIL - Correct Filing Receipt Request Recvd (dup??)
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- 6/21/2004: Return Receipt Postcard (Patent)
- 6/21/2004: Checklist for IDS
- 6/21/2004: PPC IDS Transmittal Letter
- 6/21/2004: Suppl. Information Disclosure Statement
- 6/21/2004: Suppl. Information Disclosure Statement Form PTO-1443.doc
- 6/4/2004: MAIL - Notice to Comply Sequence Recvd
- 6/4/2004: MAIL - Correct Assignment/Filing Receipt Request Recvd
- 5/5/2004: MAIL - Foreign Art Recvd Foreign Art - 1 Month Due (from OA of)
- 4/5/2004: PPC Letter re Duty to Disclose
- 4/5/2004: List of References
- 3/17/2004: Letter re Report Serial Number
- 2/25/2004: 6.342.598(1-5).pdf
- 2/25/2004: 5.099.063.pdf
- 2/25/2004: PTO Check Request
- 2/25/2004: IDS Worksheet
- 2/25/2004: Information Disclosure Statement Form PTO-1443
- 2/25/2004: Information Disclosure Statement
- 2/25/2004: Claim Court Worksheet
- 2/25/2004: Application Cover Sheet (Non-Provisional)
- 2/25/2004: Labels (Drawings) (Avery 5161)
- 2/25/2004: Return Receipt Postcard (Patent)
- 2/25/2004: Letter re Forward Copy of Patent Appln as Filed
- 2/25/2004: Express Mail Declaration (Patent)
- 2/25/2004: Pre-Filing Instruction Checklist (ADDF)
- 2/25/2004: Pkg Transmittal Letter (Division) "MD4"
- 2/25/2004: Checklist for U.S. Patent Application
- 2/25/2004: Continuation-Divisional-CPA Appln Filed
- 2/24/2004: Preliminary Amendment "MD17"
- 2/24/2004: Labels - Kit of Client-Matter (Avery 5161)
- 2/23/2004: New Matter Request (Patent) "MD1"
- 11/25/2003: References to Cite

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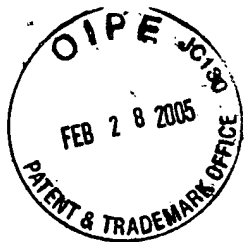
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Return Receipt Postcard



EV 321180589 US



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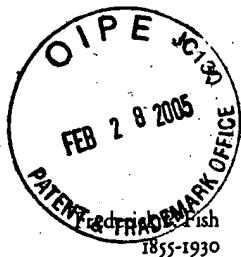
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PO ZIP Code 55402	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature SPS 2002 FEB 25 2002
Date In Mo. Day Year 2 24 2002	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 2.05	Delivery Attempt Mo. Day	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Delivery Date Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Weight 2 lbs. 2 ozs.	Int'l Alpha Country Code	COD Fee	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. (With delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
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# FISH & RICHARDSON P.C., P.A.

February 25, 2004

Attorney Docket No.: 13498-010003

## Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new divisional patent application of:

Applicant: ZHAODA ZHANG, JOHN C. AMEDIO, PETER D. CARAVAN,  
STEPHANE DUMAS, ANDREW KOLODZIEJ AND THOMAS J.  
MCMURRY

Title: PEPTIDE-BASED MULTIMERIC TARGETED CONTRAST AGENTS

The prior application is assigned of record to Epix Medical, Inc.,  
a Delaware corporation, by virtue of an assignment submitted to the Patent and  
Trademark Office and recorded on September 20, 2002 at 01331/0499.

Enclosed are the following papers, including those required to receive a filing date  
under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	119
Claims	38
Abstract	1
Declaration	3
Drawing(s)	9

### Enclosures:

- Preliminary amendment, 24 pages.
- Information disclosure statement, 1 page.  
PTO-1449, 4 pages.
- Postcard.

This application is a divisional of and claims priority to U.S. Application No.  
10/209,183, filed July 30, 2002, and is related to U.S. Application No. 10/209,172,  
filed July 30, 2002, both of which claim priority from U.S. Provisional Application  
No. 60/308,721, filed July 30, 2001, all of which are incorporated herein in their  
entirety

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55402

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Commissioner for Patents

February 25, 2004

Page 2

Basic filing fee	\$770
Total claims in excess of 20 (49) times \$18	\$882
Independent claims in excess of 3 (3) times \$86	\$258
Fee for multiple dependent claims	\$290
Total filing fee:	\$2200

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (612) 335-5070.

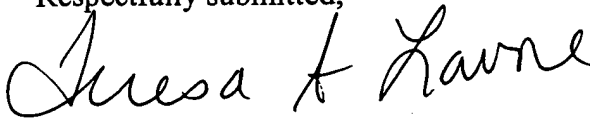
Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

26191

PTO Customer Number

Respectfully submitted,



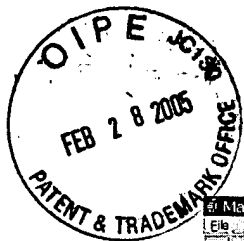
Teresa A. Lavoie, Ph.D.

Reg. No. 42,782

Enclosures

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Matter ID: 13498-010003 Desc: Peptide Based Multimeric Targeted Contrast Agents (MET-148) - Div.

Client Site: Epic Pharmaceuticals, Inc.

General | Notes | Contacts | Matters | Events | Aging Special | Against | FR General | Patent Details | Patent Details Misc | Conflicts

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Directory: \\vmmr04\prolaw\documents\Epic Medical, Inc\13498-0100

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Created	2/25/2004 9:06 AM	AJM	Angela J. Montip

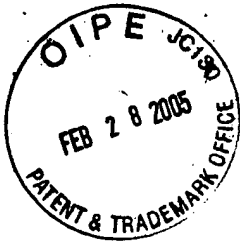
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2/25/2004: 5,099,069.pdf  
2/25/2004: PTO Check Request  
2/25/2004: IDS Worksheet  
2/25/2004: Checklist for IDS  
2/25/2004: Information Disclosure Statement Form PTO-1449  
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2/24/2004: Labels-Kit of Client-Matter (Avery 5161)  
2/23/2004: New Matter Request (Patent) "MD1"  
11/25/2003: References to Cite

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Transmittal Letter





PATENT  
Attorney's Docket No.: 13498-010003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zhaoda Zhang et al.

Serial No.:

EV321180589US

Filed: February 25, 2004

Title: PEPTIDE-BASED MULTIMERIC TARGETED CONTRAST AGENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION OF MAILING BY "EXPRESS MAIL"

Brian Tate declares as follows:

1. I reside at:

1721 W. Lake Street, Apt. 2  
Minneapolis, MN 55408

and am an employee of:

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402

2. On February 25, 2004, I deposited in the mail, "Express Mail Post Office to Addressee" service of the United States Postal Service, the contents of the envelope for which "Express Mail" receipt No. EV321180589US was issued addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3. Attached hereto is a true copy of the "Express Mail" receipt No. EV321180589US.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patents issued thereon.

Date: February 25, 2004

  
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Attorney's Docket No.: 13498-010003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zhaoda Zhang et al.

Art Unit : Unknown

Serial No. : Not Assigned

Examiner : Unknown

Filed : February 25, 2004

Title : PEPTIDE-BASED MULTIMERIC TARGETED CONTRAST AGENTS

Commissioner for Patents

P.O. Box 1450

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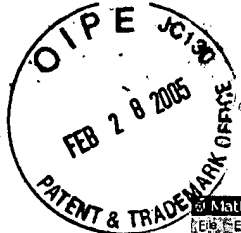
PRELIMINARY AMENDMENT

Prior to examination, please amend the application as indicated on the following pages.

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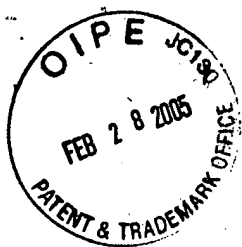
February 25, 2004  
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Patent Law  
Matters: [ProLaw] [Edit] [View] [Help]  
Matter ID: 13498-010003 Desc: Peptide-Based Multimeric Targeted Contrast Agents (MET-148) - Div.  
Client: Epic Pharmaceuticals, Inc.  
General | Notes | Contacts | Matters | Events | Acctg Special | Agent | FR General | Patent Details | Patent Details Misc | Conflicts  
Date: 1/1/2004 to 1/1/2004  
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Directory: \\vmmrtd04\prolaw\documents\Epic Medical, Inc\13498-0100  
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Created 2/24/2004 1:11 PM TAL Teresa A. LeVine  
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1/31/2005: Petition for Correction of Filing Date  
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Preliminary Amendment



Attorney's Docket No.: 13498-010003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Art Unit : Unknown

Serial No. :

Examiner : Unknown

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**Mail Stop Patent Application**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicant submits the references listed on the attached form PTO-1449.

Under 35 USC §120, this application relies on the earlier filing date of application serial number 10/209,183, filed on July 30, 2002. The references were submitted to and/or cited by the Office in the prior application and, therefore, are not provided in this application.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 2/24/04

Teresa A. Lavoie

Teresa A. Lavoie, Ph.D.

Reg. No. 42,782

Fish & Richardson P.C., P.A.

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Suite 3300

Minneapolis, MN 55402

Telephone: (612) 335-5070

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**Matters** ProLaw

Client ID: 13438-01000 Desc: Peptide-Based Multimeric Targeted Contrast Agents (MET-148) - Div.

Client Sort: Epi Pharmaceuticals, Inc.

General | Notes | Contracts | Matters | Events | Acctg Special | Against | FR General | Patent Details | Patent Details Misc | Conflicts

1/1/2004 11/12/2005

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Action	Date/Time	Initials	Professional
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Created	2/25/2004 9:27 AM	L-8	Lisa M. Becker

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Information Disclosure Statement



Attorney's Docket No.: 13498-010003

DIVISIONAL APPLICATION  
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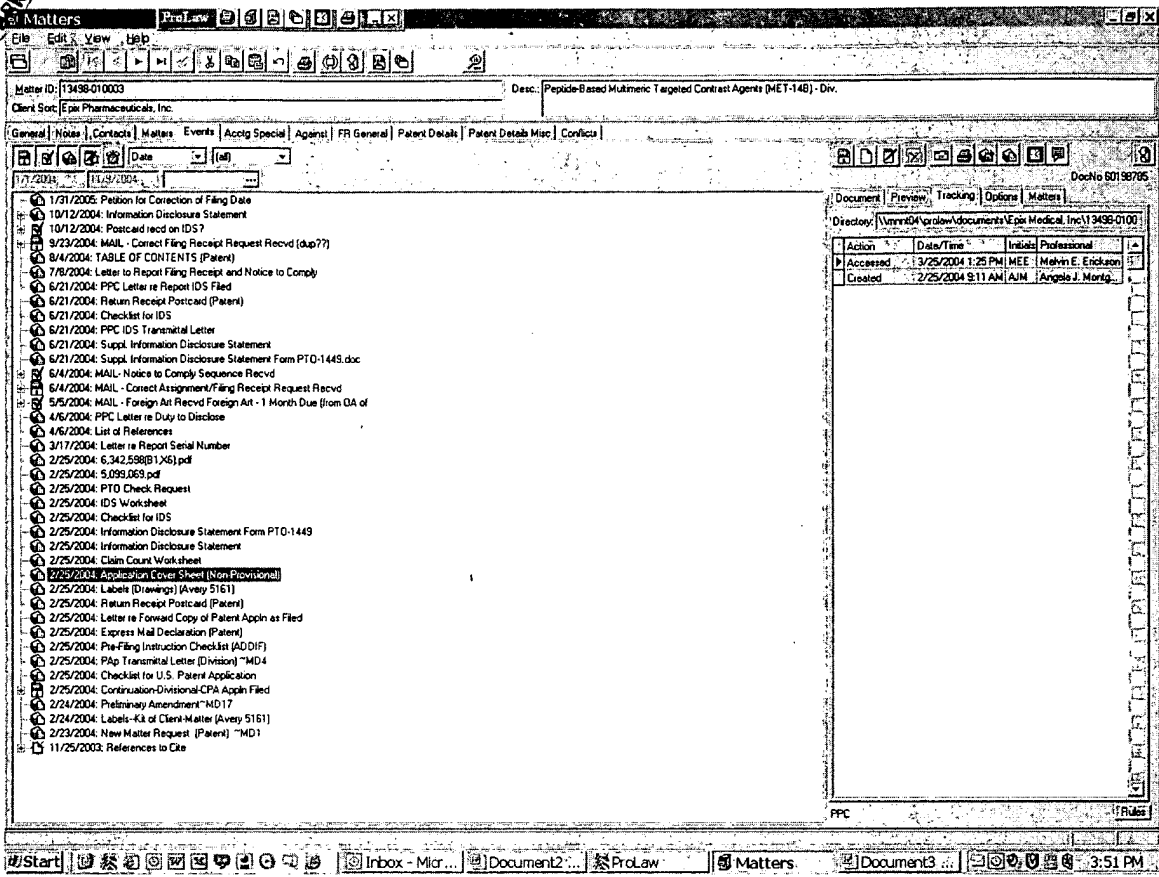
TITLE: PEPTIDE-BASED MULTIMERIC TARGETED CONTRAST AGENTS

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February 25, 2004  
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